

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY  
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FRANCES O'LEARY,

Plaintiff,

05 Civ. 6722 (HB) (DCF)

-against-

STIPULATION TO PLACE  
ACTION ON SUSPENSE  
CALENDAR

NY STATE UNIFIED COURT SYSTEM,

Defendant.

WHEREAS the plaintiff desires to suspend the civil action O'Leary v. NY State Unified Court System, 05 CV 6722, and bring new claims;

WHEREAS the Court has considered the plaintiff's application and issued an endorsed order stating that this action may be placed on the suspense calendar and dismissed in sixty (60) days, if no new complaint, with new claims, is served and filed by such time;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties herein, that:

1. This action, O'Leary v. NY State Unified Court System, 05 Cv 6722, shall be placed on the Court's suspense calendar and shall be dismissed if, within sixty days from the date of the filing of this Stipulation, plaintiff fails to file a new complaint alleging any new claims;
2. All rights, claims and defenses as currently exist shall otherwise continue

without prejudice;

3. Defendant's pending motion for summary judgment is hereby withdrawn without prejudice to renewal or amendment.

Dated: September 12, 2006

COREN & ASSOCIATES, P.C.  
Attorneys for Plaintiff

By: 

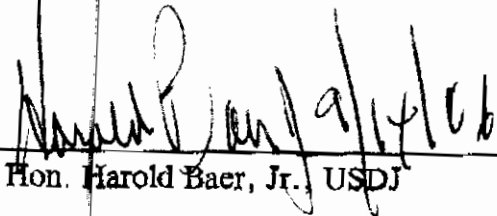
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SO ORDERED:

  
Hon. Harold Baer, Jr., USDJ